



NATIONAL ASSEMBLY

FOURTH SESSION

THIRTY-SECOND LEGISLATURE

Bill 84

An Act to amend various legislation

Introduction

Introduced by
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Minister of Justice



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EXPLANATORY NOTES

This bill amends various legislation. Some of the amendments are technical, while others are designed to simplify the administration of the Acts concerned, particularly in the fields specified below.

In the field of communications, the object of the amendments to the Act respecting Access to documents held by public bodies and the Protection of personal information is to allow a public body, when handing on a statutory contribution to another such body, to give it nominative information so that it may impute the appropriate withholding or payment to the account of the person concerned. Nevertheless, the public body called on to receive the information will be required to establish what kind of information is necessary to identify the persons concerned and to notify the Commission d'accès à l'information.

In the field of finance, section 40 of the Financial Administration Act is amended so as to authorize the reinstatement of appropriations already voted, upon the repayment of a loan or an advance made out of the selfsame appropriations, in the same financial year.

In the field of social affairs, the amendments to the Social Aid Act are designed, in particular, to extend the payment of social aid to these cases prescribed by regulation where a child may form a family with another person who is neither his father nor his mother, and to specify that conditional aid is intended for every person who is awaiting the fulfilment of a right, whether that right be a personal right or a non personal right.

In the same field, minor amendments are made to the Hospital Insurance Act, the Health Insurance Act, the Public Health Protection Act and the Act respecting health services and social services, in order to improve the administration of these Acts.

In the field of municipal affairs, amendments to the Act respecting land use planning and development are designed to abolish the Commission nationale de l'aménagement and to hand over its duties to the Commission municipale du Québec. Other amendments deal with the remuneration of elected officials of the regional county municipalities. In another direction, amendments to the Cities and Towns Act, the Municipal Code and the

Charter of the city of Montréal are intended to create statutory authority to categorize immovables for the purposes of subsidies, to give new life to the real estate sector and to take the categories into account in various ways in the rules governing the granting of such subsidies.

In respect of the professional corporations, the Act respecting the Barreau du Québec is amended in such a way as to authorize the executive committee to delegate, to a committee on applications, chaired by a member of the executive committee and comprising, in addition, two members of the bar designated by the Bâtonnier du Québec, its quasi-judicial powers under sections 70, 71, 73, 121 and 122 of the Act. Also the Veterinary Surgeons Act is amended to strike out the definition of the word "medications", to provide that the Office des professions du Québec must draw up a list of medications that are not allowed to be sold without a veterinarian's prescription, that in certain cases their sale at wholesale is unrestricted, and to authorize the Ordre des médecins vétérinaires to regulate the form and content of prescriptions given by veterinarians.

Still in the field of professional corporations, the Nurses Act and the Medical Act are amended to allow students in nursing and in child care who are working in a defined training program to be covered by the immunity provided by laws.

From another standpoint, the Consumer Protection Act is amended to allow a variable credit rate, under the conditions prescribed by regulation, on contracts for the loan of money and contracts involving credit.

Finally, the bill makes other amendments of a mainly technical nature, designed to facilitate the administration of Acts concerned.

ACTS AMENDED BY THIS BILL

(1) the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1);

(2) the Financial Administration Act (R.S.Q., chapter A-6);

(3) the Act respecting the Cree Regional Authority (R.S.Q., chapter A-6.1);

(4) the Social Aid Act (R.S.Q., chapter A-16);

(5) the Act respecting land use planning and development (R.S.Q., chapter A-19.1);

(6) the Act respecting the National Assembly (R.S.Q., chapter A-23.1);

- (7) the Automobile Insurance Act (R.S.Q., chapter A-25);
- (8) the Hospital Insurance Act (R.S.Q., chapter A-28);
- (9) the Health Insurance Act (R.S.Q., chapter A-29);
- (10) the Act respecting Cree, Inuit and Naskapi Native persons (R.S.Q., chapter A-33.1);
- (11) the Act respecting the Barreau du Québec (R.S.Q., chapter B-1);
- (12) the Cities and Towns Act (R.S.Q., chapter C-19);
- (13) the Act respecting the Commission des affaires sociales (R.S.Q., chapter C-34);
- (14) the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (R.S.Q., chapter C-52.1);
- (15) the Act respecting municipal and school debts and loans (R.S.Q., chapter D-7);
- (16) the Act respecting elections in certain municipalities (R.S.Q., chapter E-2.1);
- (17) the Election Act (R.S.Q., chapter E-3.1);
- (18) the Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1);
- (19) the Nurses Act (R.S.Q., chapter I-8);
- (20) the Act respecting lotteries, racing, publicity contests and amusement machines (R.S.Q., chapter L-6);
- (21) the Veterinary Surgeons Act (R.S.Q., chapter M-8);
- (22) the Medical Act (R.S.Q., chapter M-9);
- (23) the Act respecting the Ministère de la Main-d'oeuvre et de la Sécurité du revenu (R.S.Q., chapter M-19.1);
- (24) the Public Health Protection Act (R.S.Q., chapter P-35);
- (25) the Tree Protection Act (R.S.Q., chapter P-37);

- (26) the Consumer Protection Act (R.S.Q., chapter P-40.1);
- (27) the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10);
- (28) the Act respecting ecological reserves (R.S.Q., chapter R-26);
- (29) the Act respecting health services and social services (R.S.Q., chapter S-5);
- (30) the Act respecting the Société de développement industriel du Québec (R.S.Q., chapter S-11.01);
- (31) the Cree Villages and the Naskapi Village Act (R.S.Q., chapter V-5.1);
- (32) the Act respecting Northern Villages and the Kativik Regional Government (R.S.Q., chapter V-6.1);
- (33) the Municipal Code;
- (34) the Charter of the city of Montréal (1959-1960, chapter 102);
- (35) the National Museums Act (1983, chapter 52).

Bill 84

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THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING ACCESS TO DOCUMENTS HELD BY PUBLIC
BODIES AND THE PROTECTION OF PERSONAL INFORMATION

1. Section 59 of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1) is amended by replacing paragraph 8 by the following paragraph:

“(8) to a body or agency, in accordance with sections 61, 61.1, 67 and 68.”

2. The said Act is amended by inserting, after section 61, the following section:

“**61.1** A public body may, without the consent of the person concerned, release nominative information to another public body to allow it to impute to the account of the person concerned an amount that the law requires to be withheld or paid.

In the case of this section, the public body to which the nominative information may be released shall inform the Commission of the kinds of information that will be furnished to it.”

3. Section 67 of the said Act is amended by replacing the first paragraph by the following paragraph:

“**67.** Where the law, otherwise than in the cases contemplated in sections 59, 61 and 61.1 of this Act, authorizes a public body to release nominative information to another public body without the consent of

the person concerned, the release must be made under the terms of a written agreement between the bodies.”

4. Section 119 of the said Act is amended by striking out the second paragraph.

5. The said Act is amended by inserting, after section 119, the following section:

“119.1 The Committee on the National Assembly shall as soon as possible designate the committee which will examine the report of activities.

The designated committee shall study the report within sixty days of its tabling in the National Assembly.”

6. Section 134 of the said Act is replaced by the following section:

“134. The Committee on the National Assembly shall as soon as possible designate the committee which will study the special report.

The designated committee shall study the report within sixty days of its tabling in the National Assembly.”

7. Section 179 of the said Act is amended by striking out the third paragraph.

8. The said Act is amended by inserting, after section 179, the following section:

“179.1 The Committee on the National Assembly shall as soon as possible designate the committee which will study the report on the implementation of the Act.

Within one year after the tabling of the report in the National Assembly, the designated committee shall examine the advisability of maintaining in force or, as the case may be, of amending this Act, and hear the representations of the persons and bodies concerned.”

FINANCIAL ADMINISTRATION ACT

9. Section 40 of the Financial Administration Act (R.S.Q., chapter A-6) is replaced by the following section:

“40. The expenditures and other outlays chargeable to each appropriation voted or included in the estimates submitted to the National Assembly shall be limited according to the division of such appropriation as shown in the estimates.

However, the Conseil du trésor may change such division and subdivide it.

Amounts received during a fiscal year, as repayments of advances or loans granted during the same year out of the appropriations voted, shall be returned to the same appropriations and may be used again.”

ACT RESPECTING THE CREE REGIONAL AUTHORITY

10. Section 25 of the Act respecting the Cree Regional Authority (R.S.Q., chapter A-6.1) is repealed.

SOCIAL AID ACT

11. Section 1 of the Social Aid Act (R.S.Q., chapter A-16) is amended by replacing paragraph *e* by the following paragraph:

“(e) “dependent child”: an unmarried child who is less than 18 years of age or, if he is 18 years of age or more, regularly attends an educational institution and depends for his subsistence on his father or mother or, in the cases prescribed by regulation, another adult.”

12. Section 8 of the said Act is amended by inserting, after the second paragraph, the following paragraph:

“The aid may be granted from the time that the individual or the adult of a family could be declared eligible by the Canada Employment and Immigration Commission for the benefits contemplated in the second paragraph or when the Minister may conclude that the labour dispute may be considered to be ended according to the criteria determined by regulation.”

13. Section 13 of the said Act is replaced by the following section:

“**13.** An individual or a family shall repay the social aid received while awaiting the exercise of a right, up to the sums of money or the value of the property received, whether or not the individual or family is receiving social aid at the time of the event that gives rise to the exercise of the right.

Unless the Minister has elected to be subrogated to the rights of the individual or family, the first paragraph applies of right from the date of the event giving rise to the exercise of the right to the date it is exercised, whether or not it is a personal right.”

14. The said Act is amended by inserting, after section 13.2, the following section:

“13.3 No individual who may become eligible for benefits under the Unemployment Insurance Act, 1971 following a cessation of work, or a family whose adult is in such a situation, may receive social aid from the date of the cessation until the expiry of the period determined by regulation, except when such aid is necessary to prevent the individual or the family from finding itself in a situation that endangers its health or may cause it to become totally destitute.

Notwithstanding the foregoing, social aid may be granted during the period contemplated in the first paragraph, to the extent that an individual or a family remains eligible therefor, taking into account the unemployment insurance benefits due for the said period.”

15. Section 25 of the said Act is amended by replacing subparagraph *a* of the second paragraph by the following subparagraph:

“(a) the aid was granted while section 13 applied or where the aid was granted as a guarantee of repayment of a loan;”.

16. Section 31 of the said Act is amended

(1) by replacing the word “Eskimos” in subparagraph *v* of the first paragraph by the word “Inuit”;

(2) by adding, to the first paragraph, the following subparagraphs:

“(x) the cases where a child shall be considered not to depend on an adult for his subsistence;

“(y) the cases where a child is considered to be dependent for his subsistence on an adult other than his father or mother;

“(z) the criteria according to which the Minister may conclude that a labour dispute may be considered to be ended;

“(z.1) the determination of the period contemplated in section 13.3.”

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

17. Section 1 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) is amended by replacing paragraph 3 by the following paragraph:

“(3) “Commission” means the Commission municipale du Québec;”.

18. Section 46 of the said Act is amended by striking out the words “municipale du Québec” in the fourth line of the third paragraph.

19. Section 74 of the said Act is amended by striking out the words “municipale du Québec” in the fourth line of the third paragraph.

20. Section 115 of the said Act is amended by striking out the words “municipale du Québec” in the twentieth and twenty-first lines of subparagraph 8 of the second paragraph.

21. Section 168 of the said Act is amended by striking out the words “municipale du Québec” in the first and second lines of the fifth paragraph.

22. Section 183 of the said Act is amended

(1) by striking out the words “municipale du Québec” in the first and second lines of the first paragraph;

(2) by striking out the words “municipale du Québec” in the first line of the second paragraph.

23. Section 204 of the said Act is replaced by the following sections:

“204. The council of the regional county municipality may, by by-law, fix the remuneration of its members, the additional remuneration of the members of the administrative committee, the additional remuneration of the delegates of the county and the additional remuneration of the warden.

“204.1 For the holder of any position contemplated in section 204, a remuneration or an additional remuneration may be attached to each category of functions of the regional county municipality among the following categories:

(1) that of the functions contemplated in the first paragraph of section 188;

(2) that of the functions contemplated in the second paragraph of section 188;

(3) that of the functions contemplated in section 1.1;

(4) that of the functions contemplated in the Act respecting municipal organization of certain territories (R.S.Q., chapter 0-8).

In the case provided for in the first paragraph, the holder of a position receives the remuneration or the additional remuneration which is attached to the category of functions which qualify him to participate in the deliberations and the vote of the council.

“204.2 In the case provided for in section 204.1, the fixing of a remuneration or an additional remuneration attached to a category of functions is deemed to form part of the exercise of those functions for the purpose of determining who is entitled to participate in the deliberations and the vote of the council on that subject.

Only the remunerations and additional remunerations for which the same council members are qualified to participate in the deliberations and to vote may be established in the same by-law.

“204.3 In the case provided for in section 204.1, the expenses of a regional county municipality resulting from the payment of a remuneration or an additional remuneration attached to a category of functions are deemed to form part of the expenses resulting from the exercise of those functions for the purpose of determining who is to contribute to their financing.

“204.4 The notice of motion or the notice contemplated in the fourth paragraph of article 359 of the Municipal Code which is related to a by-law contemplated in section 204 must be accompanied with a draft of the by-law. The notice must be given within the prescribed time in order to comply with the second paragraph.

Public notice, summarizing the contents of the by-law and indicating the place, date and time of the sitting at which it is to be passed, is given by the secretary-treasurer at least twenty-one days before the sitting. The notice must mention the remuneration or additional remuneration provided in the draft by-law. In addition to being posted up, the notice must be published in a newspaper circulated in the territory of the regional county municipality within the same time.

Contravention of the first or second paragraph causes the nullity of the by-law.

“204.5 The council shall determine by resolution the terms and conditions of payment of the remuneration or additional remuneration, one-third of which is to be paid as compensation for part of the expenses attached to the functions of member of the council, member of the administrative committee, county delegate or warden.

“204.6 Expenses actually incurred by a member of the council on behalf of the regional county municipality must, in each case, be previously authorized by the council. The council shall approve the payment thereof on presentation of a statement substantiated by vouchers.

“204.7 The council may, by by-law, establish a tariff applicable in the cases where the expenses are caused by an act or a category of acts done in Québec for purposes other than travel outside Québec.

The payment of the amount provided for in the tariff for any expense incurred by a member of the council on behalf of the regional county municipality is to be approved by the council on presentation of a statement substantiated by any voucher required by by-law.

“204.8 The council may provide in the budget of the regional county municipality or assign to the moneys not otherwise assigned to its general fund, sufficient appropriations or sums of money to ensure the reimbursement of a class of expenses that the members of the council may incur on behalf of the regional county municipality during the fiscal period, whether the expenses have been actually incurred or are provided for in the tariff.

The council is not required to give prior authorization for any expense included in a class referred to in the first paragraph, which is incurred after the adoption of the appropriations or the allocation of the sums if the expense does not exceed the balance of the appropriations or sums after subtracting the sums already used or incurred to reimburse previous expenses.”

24. Section 205 of the said Act, amended by section 37 of chapter 57 of the statutes of 1983, is again amended by striking out the words “municipale du Québec” in the fifth line of the third paragraph.

25. The title of chapter II of Title II of the said Act is replaced by the following title:

“RULES OF FUNCTIONING, FUNCTIONS AND POWERS
OF THE COMMISSION”.

26. The title of Division I of Chapter II of Title II of the said Act is replaced by the following title:

“RULES OF FUNCTIONING OF THE COMMISSION”.

27. Sections 206 to 217, 219 and 220 of the said Act are repealed.

28. Section 241 of the said Act is amended

- (1) by striking out subparagraph 6 of the first paragraph;
- (2) by striking out the second, third and fourth paragraphs.

29. Section 264.1 of the said Act, amended by section 39 of chapter 57 of the statutes of 1983, is again amended by striking out subparagraph 13 of the second paragraph.

30. Section 264.2 of the said Act, amended by section 40 of chapter 57 of the statutes of 1983, is again amended by striking out subparagraph 6 of the second paragraph.

31. Section 264.3 of the said Act, amended by section 41 of chapter 57 of the statutes of 1983, is again amended by striking out subparagraph 7 of the third paragraph.

ACT RESPECTING THE NATIONAL ASSEMBLY

32. Section 104 of the Act respecting the National Assembly (R.S.Q., chapter A-23.1) is amended by replacing paragraphs 2 and 3 by the following paragraphs:

“(2) the cost of renting premises in the electoral division of each Member to receive his electors as well as any other cost provided for by the Office in the regulations to ensure the proper administration of the Member’s offices.

“(3) allowances for the remuneration of their personnel and for payment of professional services;”.

33. Section 127 of the said Act, amended by section 137 of chapter 55 of the statutes of 1983, is again amended

(1) by replacing paragraph 1 by the following paragraph:

“(1) the application of sections 106, 108, 116 and 124.2;”;

(2) by replacing paragraphs 8 and 9 by the following paragraphs:

“(7) any cost or expense related to the position of Member, authorized by regulation;

“(8) the administration of the office of the Secretary General shall also be taken out of the consolidated revenue fund.”

AUTOMOBILE INSURANCE ACT

34. Section 39 of the Automobile Insurance Act (R.S.Q., chapter A-25) is amended by replacing the third paragraph by the following paragraph:

“Subject to the second paragraph, the share of the dead parent, of the parent deprived of parental authority or of the parent who has abandoned the victim accrues to the other parent.”

HOSPITAL INSURANCE ACT

35. Section 3 of the Hospital Insurance Act (R.S.Q., chapter A-28) is amended by inserting, after the first paragraph, the following paragraph:

“An agreement is binding on all the pharmacists practising in a hospital centre who are members of the body that has entered into the agreement and all the pharmacists whose scope of professional activity is the same as that of such members and who are contemplated by the agreement.”

HEALTH INSURANCE ACT

36. Section 4 of the Health Insurance Act (R.S.Q., chapter A-29) is amended by replacing the third paragraph by the following paragraph:

“The Board shall publish the list and each revision of it, which come into force on the date of publication, in the *Gazette officielle du Québec* or on any later date fixed therein, of a notice to the Minister indicating that the list has been drawn up or revised and that the list or the revision has been published by the Board.”

37. Section 22 of the said Act is amended by inserting, after the seventh paragraph, the following paragraph:

“Any service rendered by a dentist in his private consulting office and which is related to the insured service referred to in subparagraph b of the first paragraph of section 3 is deemed to be an accessory service.”

38. The French text of section 64 of the said Act is amended

(1) by replacing the words “leur avocat ou leurs représentants dûment autorisés par eux ou agissant pour eux” in the sixth and seventh lines of the first paragraph by the words “son avocat ou ses représentants dûment autorisés par elle ou agissant pour elle”;

(2) by adding the words “au ministre du Revenu” in the second line of the second paragraph after the words “ministre du Revenu du Québec ou”.

ACT RESPECTING CREE, INUIT AND NASKAPI NATIVE PERSONS

39. Section 18 of the Act respecting Cree, Inuit and Naskapi Native Persons (R.S.Q., chapter A-33.1) is amended by replacing subsection 8 by the following subsection:

“(8) The Government shall appoint, for each Cree community, as local registry officer, a qualified Cree beneficiary or the band council of the community.”

40. Section 19 of the said Act is amended by replacing subsection 8 by the following subsection:

“(8) The Government shall appoint, for each Inuk community, as local registry officer, a qualified Inuk beneficiary or the land holding corporation of the community.”

41. Section 19.1 of the said Act is amended by replacing the first paragraph by the following paragraph:

“**19.1** The Government shall appoint, for the Naskapi community, as local registry officer, a qualified Naskapi beneficiary or the Naskapi band council of the village of Kawawachikamach.”

ACT RESPECTING THE BARREAU DU QUÉBEC

42. The Act respecting the Barreau du Québec (R.S.Q., chapter B-1) is amended by inserting, after section 22, the following section:

“**22.1** In the exercise of its powers under sections 70, 71, 73, 121 and 122, the Executive Committee may delegate its powers to a Committee on Petitions. The Committee on Petitions consists of at least three members, including a chairman chosen from among the members of the Executive Committee. At least two other members are chosen by the Bâtonnier of the Province of Québec or, failing him, by the Executive Committee, from a list of ten advocates designated by the General Council.”

43. Section 70 of the said Act is amended by replacing subsection 1 by the following subsection:

“**70.** (1) A person who ceases to practise the profession may resume it on giving 60 days' notice of his intention to the executive director on the form furnished by the Bar and depositing the amount of the contributions due for the current year at the corporate seat of the Bar.”

44. Section 128 of the said Act is amended by adding, after subparagraph 4 of paragraph *a* of subsection 2, the following subparagraph:

“(5) the social aid and allowances division of the Commission des affaires sociales, to the extent that the Minister of Manpower and Income Security or a body which has entered into an agreement in accordance

with section 35 of the Social Aid Act (R.S.Q., chapter A-16) is to be represented to plead or act in his or its name.”

CITIES AND TOWNS ACT

45. The Cities and Towns Act (R.S.Q., chapter C-19) is amended by inserting, after section 542.4, the following section:

“542.5 For the purposes of sections 542.1 to 542.3, the council may establish categories of the immovables described therein.

The council may order that the subsidy be granted only in respect of one or several categories and establish different conditions according to the categories.

The council may also avail itself of the first two paragraphs in a different manner according to the sectors of the municipality it may determine under sections 542.1 to 542.3.”

ACT RESPECTING THE COMMISSION DES AFFAIRES SOCIALES

46. Section 38 of the Act respecting the Commission des affaires sociales (R.S.Q., chapter C-34) is amended by adding, at the end, the following paragraph:

“At the proof and hearing before the social aid and allowances division, the Minister of Manpower and Income Security or a body which has entered into an agreement in accordance with section 35 of the Social Aid Act is entitled to be represented, to plead or act in his or its name, by the person of his or its choice.”

ACT RESPECTING THE CONDITIONS OF EMPLOYMENT AND THE PENSION PLAN OF THE MEMBERS OF THE NATIONAL ASSEMBLY

47. Section 7 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (R.S.Q., chapter C-52.1), amended by section 1 of chapter 1 of the statutes of 1984, is again amended by replacing subparagraphs 12 and 13 by the following subparagraphs:

“(12) the Member who is the chairman of a standing committee shall receive on an annual basis an indemnity equal to 25% of the annual indemnity;

“(13) a Member who is the vice-chairman of a standing committee shall receive on an annual basis an indemnity equal to 20% of the annual indemnity;

“(13.1) the Member who presides over a sitting of a standing committee shall receive on an annual basis an indemnity equal to 10% of the annual indemnity;”.

ACT RESPECTING MUNICIPAL AND SCHOOL DEBTS AND LOANS

48. Section 15 of the Act respecting municipal and school debts and loans (R.S.Q., chapter D-7) is amended by replacing the words “Government, on the joint recommendation of the Minister of Finance and, as the case may be, the Minister of Municipal Affairs” in the sixth, seventh and eighth lines of the first paragraph, by the words “Minister of Finance and, as the case may be, by the Minister of Municipal Affairs”.

ACT RESPECTING ELECTIONS IN CERTAIN MUNICIPALITIES

49. Subparagraph 9 of the first paragraph of section 15.1 of the Act respecting elections in certain municipalities (R.S.Q., chapter E-2.1) is repealed.

ELECTION ACT

50. Section 232.8 of the Election Act (R.S.Q., chapter E-3.1) is repealed.

ACT TO SECURE THE HANDICAPPED IN THE EXERCISE OF THEIR RIGHTS

51. Section 7 of the Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1) is replaced by the following section:

“7. The Deputy Minister of Social Affairs, the Deputy Minister of Education, the Deputy Minister of Industry, Commerce and Tourism, the Deputy Minister of Labour, the Deputy Minister of Manpower and Income Security, the Deputy Minister of Housing and Consumer Protection, the Deputy Minister of Justice, the Deputy Minister of Municipal Affairs, the Deputy Minister of Public Works and Supply, the Deputy Minister of Transport, the Deputy Minister of Communications, the Deputy Minister of Recreation, Fish and Game or their representatives are also, *ex officio*, members of the Office but they do not vote.”

NURSES ACT

52. Section 41 of the Nurses Act (R.S.Q., chapter I-8) is amended by inserting, after subparagraph c of the second paragraph, the following subparagraph:

“(d) by students as part of a training program for persons referred to in the regulation made under subparagraph *a* of section 12 or under section 13.”

ACT RESPECTING LOTTERIES, RACING, PUBLICITY CONTESTS
AND AMUSEMENT MACHINES

53. Section 45 of the Act respecting lotteries, racing, publicity contests and amusement machines (R.S.Q., chapter L-6) is replaced by the following section:

“**45.** Any person who wishes to obtain, in the matter of racing, a licence to carry on an activity described in section 34 shall, at the time determined by the rules, furnish with his application for a licence a photograph which meets the conditions prescribed by the rules.”

54. Section 46 of the said Act is replaced by the following section:

“**46.** In the matter of racing, the board or, as the case may be, a racing judge may, in the cases prescribed by the rules, require, as a condition of the issue or maintenance of a licence, that the person applying for or being the holder of the licence furnish it or him with a certificate attesting that, in the last six months, he has successfully undergone a medical examination or, as the case may be, an examination for visual keenness of such a nature as may be determined by the board or, if the board so requires, that he undergo such a medical examination or such an examination for visual keenness before a physician chosen and remunerated by the board.”

55. Section 48 of the said Act is replaced by the following section:

“**48.** The board may require as a condition of the issue of a licence or its maintenance that the applicant or holder have and maintain, for the duration of that licence, liability insurance or such other form of protection as the board may consider satisfactory, in an amount enabling him to satisfy a claim arising out of his civil liability.”

56. Section 91 of the said Act is amended by replacing the second paragraph by the following paragraph:

“Where an overpayment by a person is refunded to him, the interest provided for in the first paragraph is paid to him on that amount for the period ending on the day of the refund and commencing

(a) in the case of an application for a refund, thirty days after the application;

(b) in other cases, thirty days after the decision of the board granting the refund.”

VETERINARY SURGEONS ACT

57. Section 1 of the Veterinary Surgeons Act (R.S.Q., chapter M-8) is amended by striking out paragraph *e*.

58. The said Act is amended by inserting, after section 6, the following section:

“6.1 The Bureau shall, by regulation, determine norms relating to the form and content of verbal and written prescriptions made by veterinary surgeons.”

59. Section 9 of the said Act is amended

(1) by replacing the words “prescribed only by veterinary surgeons” in the last line of the first paragraph, by the words “sold only on prescription of a veterinary surgeon.”;

(2) by inserting, after the first paragraph, the following paragraph:

“Notwithstanding the first paragraph, a manufacturer of medications may sell to a medication wholesaler, and the manufacturer or wholesaler of medications may sell medications, without the prescription of a veterinary surgeon, to any person entitled to sell or furnish medications under an Act applicable in Québec.”

MEDICAL ACT

60. Section 43 of the Medical Act (R.S.Q., chapter M-9) is amended by inserting, after subparagraph *e* of the second paragraph, the following subparagraph:

“(f) by students as part of a training program for persons referred to in the regulations made under subparagraph *b* of section 19 or under section 22.”

ACT RESPECTING THE MINISTÈRE DE LA MAIN-D'OEUVRE
ET DE LA SÉCURITÉ DU REVENU

61. The Act respecting the Ministère de la Main-d'oeuvre et de la Sécurité du revenu (R.S.Q., chapter M-19.1) is amended by inserting, after section 5.2, the following section:

“5.3 A program established by the Minister relating to employment or manpower may prescribe eligibility criteria based on a person's age.”

PUBLIC HEALTH PROTECTION ACT

62. Section 1 of the Public Health Protection Act (R.S.Q., chapter P-35) is amended by inserting, after the word “means” in the first line of paragraph *b*, the words “a laboratory included in one of the categories determined by regulation and which is”.

63. Section 69 of the said Act is amended

(1) by adding, after subparagraph *a*, the following subparagraph:

“(a.1) determine the categories of laboratories contemplated in this Act;”;

(2) by replacing the second paragraph by the following paragraphs:

“The Government shall publish a draft regulation in the *Gazette officielle du Québec* with a notice indicating that it may be adopted, with or without amendments, on the expiry of sixty days from that publication.

The regulation comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein.”

TREE PROTECTION ACT

64. Section 1 of the Tree Protection Act (R.S.Q., chapter P-37) is amended by replacing the words “twenty-five dollars” in the eleventh line of the first paragraph by the following: “\$200”.

CONSUMER PROTECTION ACT

65. The Consumer Protection Act (R.S.Q., chapter P-40.1) is amended by inserting, after section 100, the following section:

“**100.1** Contracts for the loan of money and contracts involving credit which provide that the credit rate is subject to variation, are, on the conditions prescribed by regulation, exempt from the application of sections 71, 81, 83, 87 and 98 and, according to the nature of the contract, from section 115, 134 or 150.”

66. Section 129 of the said Act is amended by replacing the second paragraph by the following paragraph:

“The merchant must send to the consumer, according to the time limits prescribed by regulation, a notice setting out exclusively the amended clauses, as they formerly read and as they read now, and the date of the coming into force of the increase.”

ACT RESPECTING THE GOVERNMENT
AND PUBLIC EMPLOYEES RETIREMENT PLAN

67. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10) is amended by striking out the words “the Commission nationale de l’aménagement” in the fourth paragraph.

ACT RESPECTING ECOLOGICAL RESERVES

68. Section 1 of the Act respecting ecological reserves (R.S.Q., chapter R-26) is amended by repealing paragraph *b*.

69. Section 3 of the said Act is amended by repealing the third paragraph.

70. Section 5 of the said Act is amended by replacing paragraph *a* by the following paragraph:

“(a) requested the advice of the Conseil consultatif sur les réserves écologiques”.

71. Section 6 of the said Act is amended by replacing the third paragraph by the following paragraph:

“The Minister may, however, on the conditions determined by regulation, allow one or another of the acts or works contemplated in the first and second paragraphs, for the scientific study of the evolution of the milieu or for the carrying out of educational activities.”

72. Section 10 of the said Act is replaced by the following section:

“**10.** An advisory body is established under the name “Conseil consultatif sur les réserves écologiques”.

The board is responsible for advising the Minister on the administration of this Act.

The board is composed of not more than nine members appointed by the Government for a period not exceeding five years.

Not more than three members of the board must be appointed from among the civil servants of the Government or from its agencies.”

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

73. Section 64 of the Act respecting health services and social services (R.S.Q., chapter S-5) is amended by replacing the word “five” in the fourth line of the first paragraph by the word “four”.

74. Section 142 of the said Act is amended by replacing the fifth line of the first paragraph by the following:

“under this Act are carried on and any establishment, in order to ascertain whether the Act and the regulations thereunder are being complied with.”

75. Section 150 of the said Act is amended by replacing the first paragraph by the following paragraph:

“**150.** The Minister shall draw up the list of the medications which may be used in an establishment. The list shall be updated periodically after consultation with the conseil consultatif de pharmacologie established pursuant to section 39 of the Health Insurance Act (R.S.Q., chapter A-29). The Régie shall publish the list and each of its updatings. It comes into force on the date of publication in the *Gazette officielle du Québec* or on any later date fixed therein of a notice from the Minister stating that the list is drawn up or updated and that the list or updating has been published by the Régie.”

ACT RESPECTING THE SOCIÉTÉ DE DÉVELOPPEMENT INDUSTRIEL DU QUÉBEC

76. Section 27 of the Act respecting the Société de développement industriel du Québec (R.S.Q., chapter S-11.01) is amended by replacing the first paragraph by the following paragraph:

“**27.** The board of directors may constitute an executive committee to which it shall delegate part of its powers. It may also delegate, to the extent determined by by-law of the Corporation, part of its powers to a member of the personnel of the Corporation.”

77. Section 48 of the said Act is amended by replacing the first paragraph by the following paragraph:

“**48.** The Corporation may, subject to this Act and the regulations made by the Government under section 47, make by-laws for its internal management, including the quorum at meetings of its members, the delegation of part of its powers to the executive committee or a member of the personnel of the Corporation, and the administration of this Act.”

THE CREE VILLAGES AND THE NASKAPI VILLAGE ACT

78. The English text of section 4 of the Cree Villages and the Naskapi Village Act (R.S.Q., chapter V-5.1) is amended by adding, at the end, the following paragraph:

“The members of the community of Rupert House shall constitute a municipal corporation under the name of “Corporation du village cri

de Fort Rupert”. The municipal corporation may also be designated under the Cree name of “Waskagheganish Aetown Aeyooch Tapayatachesoo” and under the English name of “Corporation of the Cree Village of Rupert House”.”

ACT RESPECTING NORTHERN VILLAGES AND
THE KATIVIK REGIONAL GOVERNMENT

79. The English text of the Act respecting northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1) is amended by inserting, after section 261, the following:

“DIVISION III

MEETINGS OF THE COUNCIL”.

MUNICIPAL CODE

80. Article 428 of the Municipal Code, replaced by section 40 of chapter 36 of the statutes of 1979 and amended by section 63 of chapter 16 of the statutes of 1980 and by section 49 of chapter 63 of the statutes of 1982, is repealed.

81. The said Code is amended by inserting, after article 716*d*, the following article:

“**716*e*.** For the purposes of articles 716 to 716*c*, a local corporation may establish categories of the immovables contemplated therein.

The corporation may order that the subsidy be granted for only one or several of those categories and may establish different conditions according to the categories.

The corporation may avail itself of the first two paragraphs in a different manner according to the sectors of the municipality determined by it under articles 716 to 716*c*.”

CHARTER OF THE CITY OF MONTRÉAL

82. The Charter of the city of Montréal (1959-60, chapter 102) is amended by inserting, after article 787*b*, the following article:

“**787*c*.** For the purposes of articles 787*a* and 787*b*, the board may establish categories of the immovables contemplated therein.

The council may order that the subsidy be granted for only one or several of those categories and establish different conditions according to the categories.

The council may avail itself of the first two paragraphs in a different manner according to the sectors of the city determined by it under articles 787*a* and 787*b*."

NATIONAL MUSEUMS ACT

83. Section 50 of the National Museums Act (1983, chapter 52) is amended by inserting after the figure "44" in the second line the following: "or 45".

TRANSITIONAL AND FINAL PROVISIONS

84. Where an assessment has been applied for from the Commission nationale de l'aménagement before the (*insert here the date of coming into force of this Act*) and if on that date it has not given an assessment, the application is deemed to have been made on that date to the Commission municipale du Québec.

85. The public servants of the Commission nationale de l'aménagement in office on (*insert here the date of coming into force of this Act*) become, without other formality, public servants of the Ministère des Affaires municipales, to the extent determined by the Government.

86. The Government may appoint to any other position any person who is a member of the Commission nationale de l'aménagement in office on (*insert here the date of coming into force of this Act*).

The person described in the first paragraph continues to be governed by the conditions of his appointment as a member of the Commission for the time being, until the earlier of the following dates:

(1) the date on which he is appointed to another position by the Government or otherwise commences to hold a remunerated employment or position;

(2) 11 November 1985.

If the said person is appointed to another position by the Government before 11 November 1985, the conditions of his appointment to the other position must be, until the said date, at least as advantageous as those of his appointment as a member of the Commission.

The second and third paragraphs apply subject to any agreement the Government and a person contemplated in the first paragraph may enter into.

87. The files and other documents of the Commission nationale de l'aménagement become the files and documents of the Commission municipale du Québec unless the Government decides otherwise.

88. The Commission municipale du Québec shall include in its annual report for the fiscal period 1984-85 the activities carried on by the Commission nationale de l'aménagement during the period following that covered by the last annual report of the Commission nationale de l'aménagement tabled in the National Assembly.

89. Any regulation or resolution in force on (*insert here the date of coming into force of this Act*) and adopted under a provision replaced or repealed by section 23, 28 or 80 remains in force until it is replaced or repealed by a regulation or resolution adopted under provisions enacted by section 23.

90. Notwithstanding section 17 of the Pharmacy Act (R.S.Q., chapter P-10) the persons who on (*insert here the date of coming into force of this Act*) prepare or sell medicinal food may continue for a period of one year from that date to perform those acts provided they comply with the standards prescribed in the Medicated Ingredients Brochure.

91. The indemnity payable as the result of the expropriation of land for the purposes provided in section 3 of the Act respecting ecological reserves and started before (*insert here the date of assent to this Act*) is, from the said date, fixed by the Expropriation Tribunal in accordance with the Expropriation Act (R.S.Q., chapter E-24).

92. This Act shall operate notwithstanding the provisions of sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B of the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).

93. Section 32, has effect from 26 May 1983, paragraph 1 of section 33 from 2 February 1984, paragraph 2 of section 33, to the extent that it enacts paragraph 7 of section 127 of the Act respecting the National Assembly, from 1 April 1983, section 47, to the extent that it enacts subparagraph 13.1 of section 7 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly, from the date a Member was appointed chairman, and sections 78 and 79, from 1 January 1981.

94. This Act comes into force on (*insert here the date of assent to this Act*) except section 65, which will come into force, in whole or in part, on any later date fixed by proclamation of the Government.